IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

CHAMBER SUMMONS NO. 1580 OF 2006

IN

SUIT NO. 795 OF 1986

Pestonjee Dhanjisha Zilla .... Plaintiff
Vs.

Thermon Transfer Engineers .... Defendants
& Ors.
And
Shiraj Dhanji Shah Zilla .... Applicants
& Others

None for Plaintiff.
Ms. Seema Sarnaik for Applicants.
Ms. Rashmi Vaithy i/b S. Ashwinkumar & Co. for defendant Nos. 2 to 6.

CORAM : A.S. OKA, J.
DATE : 13TH JULY, 2007

P.C.

The learned Advocate for the Applicant has placed on record a xerox copy of letter written to her by constituted attorney of the applicants on 5th April 2007. By the said letter, learned Advocate for the applicants has been instructed to withdraw the Chamber Summons. A copy of the letter is taken on record and marked as 'X' for identifiation. In view of the said letter, Chamber summons is dismissed as withdrawn.

(A.S. OKA, J.)

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SUIT NO. 795 OF 1986

Pestonji D. Zilla .... Plaintiff

Vs.

Thermo Transfer Engineers & Others. .... Defendants

Ms. Seema Sarnaik for Applicant.
Ms. Rashmi Vaithy i/b M/s S. Ahswinkumar & Co., for Defendant Nos. 2 to 6.

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The sole plaintiff has expired on 9th November 2005. Chamber summons no. 1580 of 2006 was taken out for bringing on record the legal representatives of the deceased- plaintiff. By a separate order passed today, the chamber summons has been dismissed as withdrawn. In view of this position, the suit stands dismissed as abated.

(A.S. OKA, J.)